

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GURDEEP SINGH BOPARAI,

CASE NO. 2:23-cv-825

Plaintiff,

MINUTE ORDER

V.

CHASE WIGER, in his individual and official capacity, JACOB GARCIA in his individual and official capacity, JASON PENNOCK, in his individual and official capacity, ANDREW MANN, in his individual and official capacity, AVALYNE PETERS, in her individual and official capacity, DAVID LIND, in his individual and official capacity, and the CITY OF AUBURN,

Defendants.

The following Minute Order is made by direction of the Court, the Honorable Jamal N. Whitehead, United States District Judge: Plaintiff Gurdeep Singh Boparai filed this action on June 2, 2023. Dkt. No. 1. Defendants filed a motion to dismiss on October 4, 2023. Dkt. No. 8. On October 19, 2023, Boparai sought an extension of time to respond to Defendants' pending motion to dismiss and for appointment of counsel. Dkt. No. 12. On November 6, 2023, the Court referred Boparai's case to the Pro Bono Screening Committee. Dkt. No. 14. On December 18, 2023, the Court

granted Boparai's motion for appointment of counsel. Dkt. No. 17. On March 11, 2024, Plaintiff filed his First Amended Complaint. Dkt. No. 26.

“It is well-established in our circuit that an ‘amended complaint supersedes the original, the latter being treated thereafter as non-existent.’” *Ramirez v. Cnty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015) (quoting *Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997)). Accordingly, Defendants’ motion to dismiss is DENIED as moot because it targeted Boparai’s original complaint, which “ceased to exist” following his amendment. *Id.*; Dkt. No. 8.

Dated this 18th day of March 2024.

Ravi Subramanian

Clerk

/s/ *Kathleen Albert*

Deputy Clerk